



General Assembly

January Session, 2001

Raised Bill No. 6538

LCO No. 3008

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE ADMISSIBILITY OF RECORDS AND
REPORTS OF CERTAIN EXPERT WITNESSES AS BUSINESS
ENTRIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (b) of section 52-174 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (b) In all actions for the recovery of damages for personal injuries or
4 death, pending on October 1, 1977, or brought thereafter, and in all
5 court proceedings in family relations matters, as defined in section
6 46b-1, or in the Family Support Magistrate Division, pending on
7 October 1, 1998, or brought thereafter, and in all other civil actions
8 pending on the effective date of this act or brought thereafter, any
9 party offering in evidence a signed report and bill for treatment of any
10 treating physician, dentist, chiropractor, natureopath, physical
11 therapist, podiatrist, psychologist, emergency medical technician or
12 optometrist may have the report and bill admitted into evidence as a
13 business entry and it shall be presumed that the signature on the
14 report is that of the treating physician, dentist, chiropractor,
15 natureopath, physical therapist, podiatrist, psychologist, emergency

16 medical technician or optometrist and that the report and bill were
17 made in the ordinary course of business. The use of any such report or
18 bill in lieu of the testimony of such treating physician, dentist,
19 chiropractor, natureopath, physical therapist, podiatrist, psychologist,
20 emergency medical technician or optometrist shall not give rise to any
21 adverse inference concerning the testimony or lack of testimony of
22 such treating physician, dentist, chiropractor, natureopath, physical
23 therapist, podiatrist, psychologist, emergency medical technician or
24 optometrist.

Statement of Purpose:

To extend the existing business entry rule for medical witnesses, which already applies in personal injury and family cases, to other civil cases.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]